

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 SHANE MICHAEL DAHIR,

9 Plaintiff,

10 v.

11 E.K. MCDANIELS, *et al.*,

12 Defendants.

3:21-cv-00487-MMD-CSD

ORDER

13
14 On November 1, 2023, the court erroneously entered an Order regarding service of process as
15 to Defendants Macias, Ball, Conway, and Saavedra. (ECF No. 39.)

16 **IT IS HEREBY ORDERED** that the court's Order (ECF No. 39) is **WITHDRAWN**.

17 **IT IS FURTHER ORDERED** that within **twenty-one (21) days** of the date of this order, the
18 Attorney General's Office shall file a notice advising the court and Plaintiff if it accepts service for
19 Defendants Macias, Ball, Conway, and Saavedra. If the Attorney General's Office is unable to accept
20 service for said Defendant(s), the Office shall file, under seal, but shall not serve the inmate Plaintiff
21 the last known address(es) of those Defendant(s) for whom it has such information. If the last known
22 address of the Defendant(s) is a post office box, the Attorney General's Office shall attempt to obtain
23 and provide the last known physical address(es).

24
25 **IT IS FURTHER ORDERED** that if service cannot be accepted for any of the new
26 Defendants, Plaintiff shall file a motion identifying the unserved Defendant(s), requesting issuance of
27

1 a summons, and specifying a full name and address for the Defendant(s). For the Defendant(s) as to
2 which the Attorney General has not provided last-known-address information, Plaintiff shall provide
3 the full name and address for the Defendant(s).

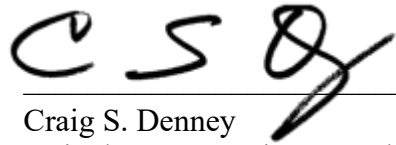
4 **IT IS FURTHER ORDERED** that if the Attorney General accepts service of process for any
5 of the new Defendants, such Defendant(s) shall file and serve an answer or other response to the
6 Second Amended Complaint (ECF No. 35) within **forty-five (45) days** from the date of this order.

7 **IT IS FURTHER ORDERED** that under Federal Rule of Civil Procedure 4(m), service must
8 be completed within **ninety (90) days** of the date of this Order. If Plaintiff requires additional time to
9 meet any of the deadlines set by the court, he must file a motion for extension of time under Local Rule
10 IA 6-1 before the expiration of the deadline, and the motion must be supported by a showing of good
11 cause. A motion filed after a deadline set by the court or applicable rules will be denied absent a
12 showing of excusable neglect.

13 **IT IS FURTHER ORDERED** that Plaintiff shall serve upon the Defendants or, if an
14 appearance has been entered by counsel, upon the attorney(s), a copy of every pleading, motion, or
15 other document submitted for consideration by the court. If Plaintiff electronically files a document
16 with the court's electronic filing system, no certificate of service is required. Fed. R. Civ. P. 5(d)(1)(B);
17 LR IC 4-1(b); LR 5-1. If Plaintiff mails the document to the court, Plaintiff shall include with the
18 original document submitted for filing a certificate stating the date that a true and correct copy of the
19 document was mailed to the defendants or counsel for the Defendants. If counsel has entered a notice
20 of appearance, Plaintiff shall direct service to the individual attorney named in the notice of
21 appearance, at the physical or electronic address stated therein. The court may disregard any document
22 received by a District Judge or Magistrate Judge which has not been filed with the Clerk, and any
23
24
25
26
27

1 document received by a District Judge, Magistrate Judge, or the Clerk which fails to include a
2 certificate showing proper service when required.

3 DATED: November 1, 2023.

4
5 
6 _____

7 Craig S. Denney
8 United States Magistrate Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27